

and

Crutchfield of the Senate

An Act relating to state buildings; amending 47 O.S. 2001, Sections 11-1009 and 11-1010, which relate to parking on state property; eliminating reference to Cowboy Hall of Fame; modifying parking fines; establishing civil fine under certain circumstances; setting time period for submitting request for hearing; authorizing vehicle to be immobilized under certain circumstances; specifying statutes being enforced; amending 73 O.S. 2001, Section 96, which relates to enforcement of regulations by Director of Central Services; removing reference to State Highway Patrol; amending 74 O.S. 2001, Section 1811.4C, which relates to application of Title 47 to certain streets and highways; removing Cowboy Hall of Fame from applicable facilities list; prohibiting disruption of a state agency; requiring persons to leave state property upon a lawful order to leave; establishing classification of crime; repealing 47 O.S. 2001, Section 2-132, which relates to remittance of monies received from certain contractual agreements and reimbursements; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-1009, is amended to read as follows:

Section 11-1009. A. No person shall place, stop, park, or stand any vehicle including trailers or implements of husbandry contrary to any official sign reserving, restricting, or regulating the placing, stopping, standing, or parking of a vehicle ~~within the boundaries of the following:~~

~~1. State Capitol Park as defined in Section 1811.4 of Title 74 of the Oklahoma Statutes;~~

~~2. Cowboy Hall of Fame Park; and~~

~~3. State Capitol Complex in Tulsa at any state building or property, including grounds appurtenant to state buildings or property, within Oklahoma and Tulsa Counties.~~

B. The Department of Public Safety shall be responsible for the enforcement of subsection A of this section.

C. Any person violating the provisions of subsection A of this section shall be subject to a civil fine. A violation shall be indicated by the placing of a notice of ~~such~~ civil violation on the windshield of the vehicle improperly placed, stopped, parked, or standing.

The notice shall be on a form prescribed by the Commissioner of Public Safety. The civil fine for such violation shall be ~~Five Dollars (\$5.00)~~ Fifteen Dollars (\$15.00) if paid within ten (10) days from the date of the violation and ~~Twenty Dollars (\$20.00)~~ Twenty-four Dollars (\$24.00) if paid after ten (10) days from the date of the violation.

D. The fine ~~may~~ shall be paid by mailing or personally delivering the notice and a personal check or money order to cover the fine to the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety. Should the violator elect to object to the imposition of the fine and to have a hearing on the violation, the person ~~may~~ shall so indicate on the notice and mail or present it to the Department of Public Safety, within ten (10) days from the date of the violation, with a bond by cash or money order equal to the amount of the fine pending the outcome of the hearing. The bond may be used to pay the fine in the event the determination of the hearing examiner upholds the imposition of the civil fine. If no bond accompanies the request for hearing, no hearing shall be granted. If the request for hearing is not made within ten (10) days from the date of the violation, the person shall not be entitled to a hearing and shall

be subject to the civil fine prescribed in subsection C of this section.

E. The request for a hearing shall be submitted to the Department of Public Safety within ten (10) days from the date of the violation, and the violation shall be set for hearing before a hearing examiner appointed by the Commissioner. The person requesting the hearing shall be notified of the time and place of the hearing by the Department of Public Safety by mailing a copy of the notice by regular mail to the address indicated on the request for hearing. The hearing examiner may take evidence of the violation and shall determine if there has been a violation of the provisions of subsection A of this section. If it is determined that there was a violation, the hearing examiner shall enforce the fine indicated on the notice.

F. Any vehicle having outstanding fines against it may be immobilized by use of a tire boot or may be impounded by the Department of Public Safety. The vehicle ~~may~~ shall remain immobilized or shall be retained by the Department pending the payment of all fines, towing, and storage charges ~~and shall be retained by the Department~~ until the owner furnishes to the Department proof of security or an affidavit that the vehicle is insured by a policy of liability insurance or will not be used on public highways or public streets, as required pursuant to Section 7-600 et seq. of this title. The State of Oklahoma shall have a possessory lien against any vehicle which is found to have outstanding fines against it until such fines are paid. The lien may be foreclosed pursuant to the procedures provided for in Sections 91 through 96 of Title 42 of the Oklahoma Statutes.

G. All the monies generated from such fines shall be remitted to the State Treasurer to be credited to the General Revenue Fund in the State Treasury.

SECTION 2. AMENDATORY 47 O.S. 2001, Section 11-1010, is amended to read as follows:

Section 11-1010. A. The Department of Transportation in coordination with the Department of Public Safety shall have the authority to erect and maintain signs reserving, restricting or regulating the placing, stopping, standing or parking of vehicles within the boundaries of the following:

1. State Capitol Park; and
2. ~~Cowboy Hall of Fame Park; and~~
3. State Capitol Complex in Tulsa.

B. The Department of Public Safety may prepare and issue window stickers or other means of identification except as provided in ~~Section 3 of this act~~ 15.3 of Title 73 of the Oklahoma Statutes as the Commissioner of Public Safety shall deem necessary for the enforcement of this ~~act~~ section and Section 11-1009 of this title and Section 15.3 of Title 73 of the Oklahoma Statutes.

SECTION 3. AMENDATORY 73 O.S. 2001, Section 96, is amended to read as follows:

Section 96. The Director of the Department of Central Services is hereby authorized to regulate parking of vehicles on the streets in the vicinity of the State Capitol, the state office building, the State Historical Building, the State Armory, and other public buildings on the State Capitol grounds. Copies of such regulations, including amendments thereto, shall be filed in the Office of the Secretary of State and in the office of the city clerk of the City of Oklahoma City, and copies thereof shall be transmitted to each officer, board or commission having offices in said buildings. A reasonable amount of parking space shall be reserved on the streets immediately adjacent to each of said buildings for citizens, not officers or employees of the state, having business to transact in such buildings. Parking space on the streets and on the public grounds may also be reserved for officers and employees. Such

regulations may provide for diagonal or parallel parking of vehicles, the time limit for parking in spaces reserved, when such regulations shall be applicable, the placing of appropriate signs and other markings as to the availability of parking space, the issuance of appropriate stickers identifying vehicles, reservation of space for bus stops, and such other reasonable regulations as are deemed necessary to an orderly system to prevent congestion of traffic and the abuse of parking privileges on said streets. The Attorney General shall assist the Director of the Department of Central Services in the preparation of said regulations. Such regulations shall be enforced by the Highway Patrol Division of the Department of Public Safety and by the police of the City of Oklahoma City, ~~the State Highway Patrol,~~ or other peace officers. The authority of the City of Oklahoma City to regulate parking on the streets in the vicinity of the above referred to buildings is hereby withdrawn, and the Director of the Department of Central Services and the city manager of the City of Oklahoma City shall cooperate to the extent necessary in specifically defining the boundary or territorial limits of the respective jurisdictions in respect to the subject matter of this section and Section 97 of this title.

SECTION 4. AMENDATORY 74 O.S. 2001, Section 1811.4C, is amended to read as follows:

Section 1811.4C The provisions of Title 47 of the Oklahoma Statutes shall be applicable to all streets and highways within the "State Capitol Park", ~~the "Cowboy Hall of Fame Park"~~ and the "State Capitol Complex" in Tulsa. The Department of Public Safety on and after July 26, 1981, shall be the primary law enforcement agency within the "State Capitol Park", ~~the "Cowboy Hall of Fame Park"~~ and the "State Capitol Complex" in Tulsa upon its establishment, and shall enforce and supervise the enforcement of all parking, traffic and criminal laws therein. This section shall not be construed to

divest the Cities of Oklahoma City or Tulsa of jurisdiction relating to the enforcement of any law or ordinance within said parks except the enforcement of laws regarding vehicle parking which shall be vested exclusively in the Department of Public Safety.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 280 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. Any person who, alone or in concert with others, willfully disturbs, disrupts or interferes with the business or operation of any state agency by:

1. Engaging in violent, tumultuous or threatening behavior;
2. Using abusive or obscene language or making an obscene gesture;
3. Making unreasonable noise; or
4. Congregating with other persons and refusing to comply with a lawful order of any law enforcement officer or security officer to disperse;

shall be guilty of a misdemeanor. Peaceful demonstrations on public issues are not prohibited.

B. Any person who, alone or in concert with others and without proper authorization, refuses to leave any part or any building, whether owned or leased by the state, occupied by officers, employees, agents or representatives of any state agency, or any building in which any agency business or operation is being conducted, upon lawful order of any law enforcement officer or security officer to disperse, leave or move to a designated area, shall be guilty of a misdemeanor.

SECTION 6. REPEALER 47 O.S. 2001, Section 2-132, is hereby repealed.

SECTION 7. This act shall become effective July 1, 2002.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 28th day of February, 2002.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2002.

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Presiding Officer of the Senate